LAXMIKANT GOPAL CHANDAN
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.907 OF 2026

Rajesh Balasaheb Bhandwalkar : Petitioner.
Versus.
The State of Maharashtra : Respondent.

Ms. Saima Ansari i/by Fakhruddin Khan (Appointed from Legal Aid Panel) for the Petitioner.
Mr. Y M Nakhawa, APP for the Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATED : 10 MARCH 2026

PC:-

1. This is a letter-petition from the Petitioner, who is in jail, registered as Writ Petition No. 907 of 2026.

2. The Petitioner is an accused in Sessions Case No. 255 of 2021, pending before the Court of Sessions, Kalyan. The offences charged against the Petitioner are Sections 302, 364, 201, 120B read with 34 of the Indian Penal Code.

3. The Petitioner's grievance seems to be the delay in disposing of Sessions Case No. 255 of 2021. The Petitioner's bail application was rejected, as mentioned in the letter Petition.

4. Notice was issued to the Respondent-State on 07 March 2026. On that date, Mr. Y. M. Nakhawa, the learned APP for the Respondent/State, sought time to take instructions from the Investigating Officer as well as from the learned APP appearing in Sessions Case No. 255 of 2021 before the Trial Court. At his request, the matter was fixed for today.

5. Mr. Y. M. Nakhawa states that there are two accused in Sessions Case No. 255 of 2021, the other being Sandip Dattaram Kadam. He indicates that the next date in the Sessions Case before the Trial Court is 17 March 2026.

6. Mr. Y. M. Nakhawa learned APP, on instructions from the Investigating Officer and the learned APP appearing in Sessions Case No. 255 of 2021, states that the Informant has already been examined in the said proceedings. He submits that, in addition to the Informant, the prosecution has 39 witnesses listed in the list filed for issuing summons. He tendered a photocopy of the said list dated 18 February 2026, filed by the prosecution in Sessions Case No. 255 of 2021, which is taken on record and marked "X" for identification.

7. Mr. Y. M. Nakhawa, learned APP, states that the prosecution will make every effort to expedite the examination of the 39 witnesses in Sessions Case No.255 of 2021. On instructions from the Investigating Officer and the APP appearing in the case, he states that the examination of

these witnesses will be completed, subject to the convenience of the Trial Court, within eight months from today.

8. Ms. Saima Ansari, learned Advocate appointed from the Legal Aid Panel to represent the Petitioner in this matter, submits that this Petition can be disposed of by recording the prosecution's statement as made by Mr. Y. M. Nakhawa and further requests that the Trial Court be directed to expedite the trial.

9. The Hon'ble Supreme Court, in the case of *Hussainara Khatoon v. State of Bihar,* [1] has observed that speedy trial is one of the facets of the right to life and liberty guaranteed under Article 21 of the Constitution of India. Speedy trial is an essential ingredient of "reasonable, fair and just" procedure guaranteed by Article 21, and it is the constitutional obligation of the State to devise such a procedure as would ensure speedy trial to the Accused.

10. By recording the statement made by Mr. Y. M. Nakhawa, learned APP, subject to other expedited cases or cases (in which Accused are in custody) prior in point of time to Sessions Case No.255 of 2021, pending before the Sessions Court, Kalyan, the Sessions Judge, Kalyan Court, is requested to make an endeavour to expedite the disposal of Sessions Case No.255 of 2021.

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[1] (1980) 1 SCC 81

11. The prosecution should abide by the statement made by Mr. Y. M. Nakhawa, learned APP for the Respondent/State, and act accordingly.

12. Mr. Y. M. Nakhawa, learned APP states that this order will be placed before the Sessions Court in Sessions Case No.255 of 2021, on 17/03/2026.

13. Registry to communicate this order to the Petitioner.

14. This Petition is disposed of.

(ASHWIN D. BHOBE, J.)